TABLE OF CONTENTS

IAB SH2274474

761551N25A - SH-AD-32A

COUNTY OF LOS ANGELES
SHERIFF'S DEPARTMENT
A Tradition of Service

DATE: November 4, 2011
FILE NO:

OFFICE CORRESPONDENCE

FROM: JOSEPH S. HARTSHORNE, COMMANDER
OFFICE OF THE UNDERSHERIFF

TO: JOSEPH B. NUNEZ, CAPTAIN
INTERNAL AFFAIRS BUREAU

SUBJECT: EXECUTIVE FORCE REVIEW COMMITTEE FINDINGS:

Case Number:	SH2274774
Incident:	Hit Shooting
Incident Date:	October 1, 2010
Unit:	COPS Bureau / FOR II
Suspect:	Angel Michael Mendez MH/30
Involved Employees:	Deputy [redacted] #[redacted] Deputy Jennifer M. Pederson #[redacted]
EFRC Date:	October 6, 2011

On October 6, 2011, the Executive Force Review Committee consisting of Commander Joseph Hartshorne, Commander Todd Rogers, and Commander David Fender met and reviewed the above case. The applicable policies that were evaluated were: MPP 3-01/025.00, Use of Force; 3-01/025.30, Use of Firearms and Deadly Force; 3-01/025.10, Unreasonable Force; and 3-01/050.10, Performance to Standards.

FINDINGS:

The Committee determined that the force used by Deputies [redacted] and Jennifer Pederson was reasonable, necessary, and in compliance with Department Policy. The Committee also determined that the tactics used by Deputies [redacted] and Pederson were sound and reasonable.

RECOMMENDATIONS:

The Committee recommended that the unit commander continue to brief all COPS Bureau personnel regarding the legal issues relating to the search of inhabited dwellings.



LOS ANGELES COUNTY DISTRICT ATTORNEY'S OFFICE
BUREAU OF FRAUD AND CORRUPTION PROSECUTIONS
JUSTICE SYSTEM INTEGRITY DIVISION

STEVE COOLEY • District Attorney
JACQUELYN LACEY • Chief Deputy District Attorney
PATRICK R. DIXON • Assistant District Attorney

JANICE L. MAURIZI • Director

May 25, 2011

Captain David Smith
Homicide Bureau
Los Angeles County Sheriff's Department
5747 Rickenbacker Road
Commerce, California 90040

Re: J.S.I.D. File # 10-0767
L.A.S.D. File # 010-21291-1126-055

Dear Captain Smith:

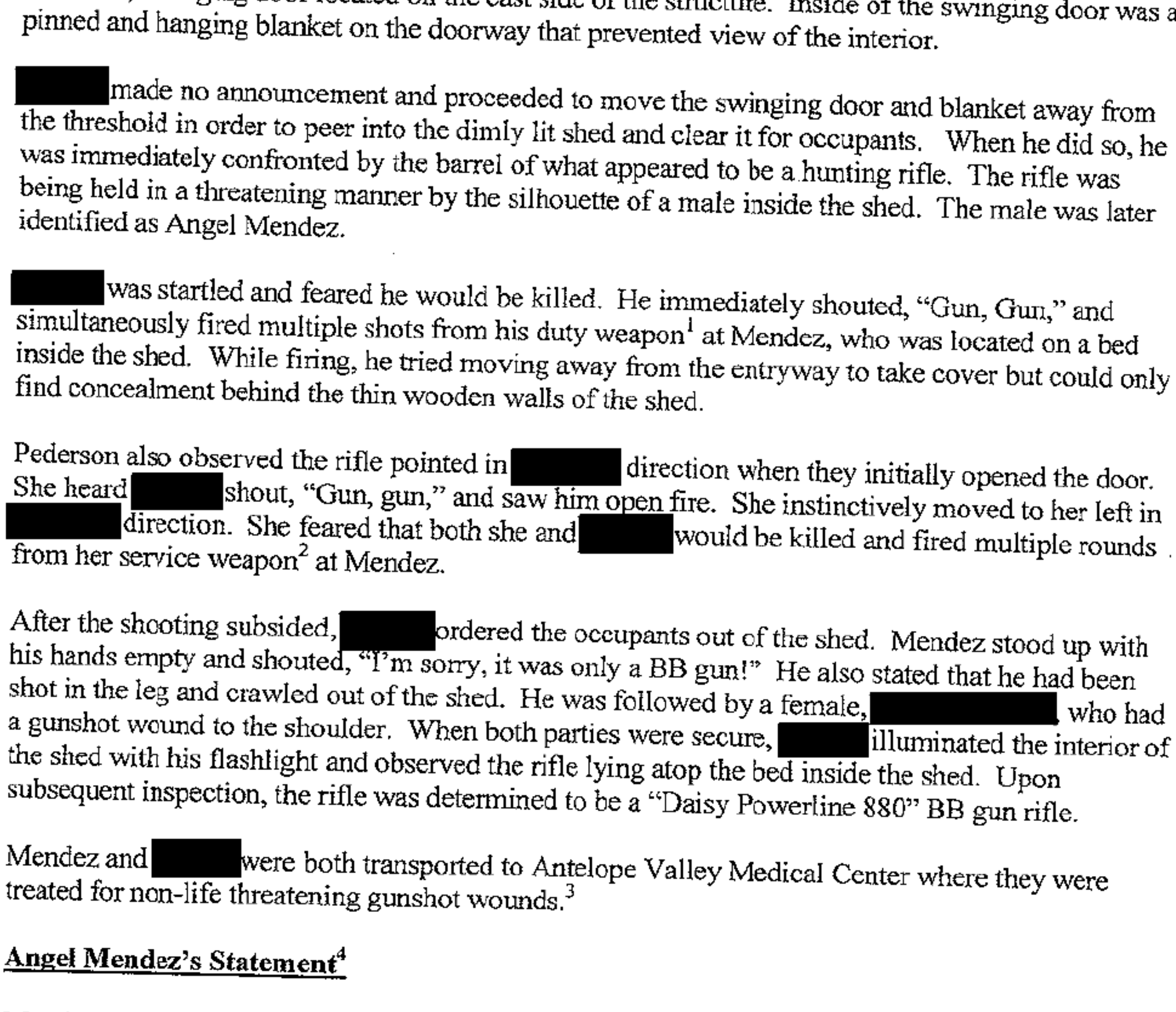
The Justice System Integrity Division of the Los Angeles County District Attorney's Office has completed its review of the October 1, 2010, non-fatal shooting of Angel Mendez and [redacted] by Los Angeles County Sheriff's Department (LASD) Deputies [redacted] and Jennifer Pederson. It is our conclusion that Deputies [redacted] and Pederson acted in lawful self-defense.

The following analysis is based on reports prepared by the LASD Homicide Bureau, submitted to this office by Sergeant [redacted] The District Attorney Response Team, comprised of Deputy District Attorney Shelly Torrealba and Senior Investigator [redacted] responded and was given a briefing and a walk-through of the scene. No compelled statements were considered in this analysis.

FACTUAL ANALYSIS

Deputy [redacted] and Deputy Pederson were both assigned to the LASD Community Oriented Policing Bureau, High Impact Team (HIT), stationed out of Lancaster Station. On October 1, 2010, at approximately 12:46 p.m., they went to a residence in the city of Lancaster along with other deputies from HIT. They were in search of a known and wanted parolee-at-large, who was believed to be armed and dangerous and on the premises. [redacted] and Pederson were detailed to the rear of the residence, to provide containment and search or clear sheds and buildings on the property. They were both wearing a standard Class B uniform with a clearly marked Sheriff's green vest over their uniform shirt.

Clara Shortridge Foltz Criminal Justice Center
210 West Temple Street
Los Angeles, CA 90012-3210
(213) 974-3888
WEBSITE: http://da.co.la.ca.us



In the large rear yard they approached what appeared to be a wooden storage shed. Prior to approaching this shed, they had already cleared three structures on the property. The shed had an unlocked, swinging door located on the east side of the structure. Inside of the swinging door was a pinned and hanging blanket on the doorway that prevented view of the interior.

[redacted] made no announcement and proceeded to move the swinging door and blanket away from the threshold in order to peer into the dimly lit shed and clear it for occupants. When he did so, he was immediately confronted by the barrel of what appeared to be a hunting rifle. The rifle was being held in a threatening manner by the silhouette of a male inside the shed. The male was later identified as Angel Mendez.

[redacted] was startled and feared he would be killed. He immediately shouted, "Gun, Gun," and simultaneously fired multiple shots from his duty weapon[1] at Mendez, who was located on a bed inside the shed. While firing, he tried moving away from the entryway to take cover but could only find concealment behind the thin wooden walls of the shed.

Pederson also observed the rifle pointed in [redacted] direction when they initially opened the door. She heard [redacted] shout, "Gun, gun," and saw him open fire. She instinctively moved to her left in [redacted] direction. She feared that both she and [redacted] would be killed and fired multiple rounds from her service weapon[2] at Mendez.

After the shooting subsided, [redacted] ordered the occupants out of the shed. Mendez stood up with his hands empty and shouted, "I'm sorry, it was only a BB gun!" He also stated that he had been shot in the leg and crawled out of the shed. He was followed by a female, [redacted], who had a gunshot wound to the shoulder. When both parties were secure, [redacted] illuminated the interior of the shed with his flashlight and observed the rifle lying atop the bed inside the shed. Upon subsequent inspection, the rifle was determined to be a "Daisy Powerline 880" BB gun rifle.

Mendez and [redacted] were both transported to Antelope Valley Medical Center where they were treated for non-life threatening gunshot wounds.[3]

Angel Mendez's Statement[4]

Mendez indicated that he was friends with the primary resident at the property, [redacted]. He and his [redacted], [redacted] had permission to reside inside a wooden shed in the backyard. The shed was only 8' x 12' but was equipped with an air conditioner, a bed and a television. He and [redacted] had been residing there for months.

Captain David Smith

[1] A Beretta, model 92FS, 9mm Luger caliber semiautomatic pistol.
[2] A Beretta, model 92FS, 9mm Luger caliber semiautomatic pistol.
[3] [redacted] was pregnant at the time but there was no injury or danger to the fetus as a result of the shooting.
[4] [redacted] statement is consistent with Mendez's statement. She added that Mendez was addicted to methamphetamine and would often stay up all night shooting at rats on the property with a BB gun.

Mendez apologized for causing the shooting and explained that he was merely holding a BB rifle when he and [redacted] were shot by deputies. He and [redacted] had fallen asleep on the bed with the air conditioner running. Due to a rodent problem on the property, he kept a BB rifle in the shed, which was lying next to him at the time of the incident. Just before the shooting, he heard footsteps approaching the door and thought it was [redacted] preparing to enter the shed. He began to sit up on the bed and picked up the rifle to place it on the floor. While holding the rifle in his hand, the shed door was opened and instantaneously, gunfire erupted from outside the shed. He recalls holding the rifle for mere moments before the shooting began. He said, "They shot and shot and didn't say anything."

He did not initially recognize the source of the shooting as being deputy sheriffs but soon after seeing the images outside, he knew they were in fact deputies. Realizing that the deputies were shooting at him because he appeared armed, he began to shout that the rifle was a BB gun. He complied when the deputies ordered him out. He told them that he and [redacted] were injured and crawled out of the shed.

Upon exiting the shed, he was immediately treated by the deputies. He felt they were "wonderful and on it." Although he could not initially understand why the deputies shot him, he agreed that based on the circumstances and the individual they were looking for, the deputies would have reason to shoot upon seeing him holding a rifle.

Mendez and [redacted] Criminal History

Angel Mendez and [redacted] each have [redacted]

CONCLUSION

California law permits the use of deadly force in self-defense or in defense of others if it reasonably appears that the person claiming the right actually and reasonably believed that he or others were in imminent danger of great bodily injury or death. *People v. Randle* (2005) 35 Cal.4th 987, 994; *People v. Mercer* (1962) 210 Cal.App.2d 153.

In determining the reasonableness of an officer's actions, allowances must be made for the fact that police officers are often forced to make split-second judgments, in circumstances that are tense, uncertain and rapidly evolving, about the amount of force that is necessary in a particular situation. *Graham v. Connor* (1989) 490 U.S. 386, 396-398. An officer may reasonably use deadly force when he confronts a suspect in close proximity whose actions indicate intent to attack; in those circumstances, the court cannot ask officers to hold fire in order to ascertain whether the suspect will, in fact, injure or murder the officer. *Martinez v. County of Los Angeles* (1996) 47 Cal.App.4th 334.

The evidence examined in this investigation shows that Deputies [redacted] and Pederson were searching for a felon who was believed to be armed and dangerous. They entered a large property with several outdoor enclosures where this individual and others could have concealed themselves. When they approached the shed and opened the door and drapery, they immediately encountered a rifle pointed in their direction. In fear for their lives, they responded with deadly force.

Given the rapidly evolving, life-threatening situation that confronted Deputies [redacted] and Jennifer Pederson, we conclude that they acted in lawful self-defense and defense of each other. We are therefore closing our file and will take no further action in this matter.

Very truly yours,

STEVE COOLEY
District Attorney

By Rosa Alarcon By SG

ROSA ALARCON
Deputy District Attorney
(213) 974-3888

c: Deputy [redacted] #[redacted]
Deputy Jennifer Pederson #[redacted]

Los Angeles County Sheriff's Department
Officer Involved Shooting

Report Date: 10/01/2010	Bureau/Station/Facility: Lancaster Station	Admin. Invest.? ☐	Hit? ☒

Incident Information

URN: 010-21291-1126-055	Date: 10/01/2010 Time: 1245 Hrs.
City or Station: Lancaster	Nature of Incident: Deputies were actively searching a location for a parolee at large when they were confronted by suspect who pointed a rifle at them. Deputies struck the suspect several times and also struck a pregnant female adult who was next to the suspect.
Location: [redacted]8th Street West	

Location Type (*circle one or more*): (Backyard) circled; Beach; Business; Freeway; Industrial; Park; Parking Lot; Residence; Rural; School; Street; Other: ____

Lighting (*circle only one*): Darkness; (Daylight) circled; Other; Street Lights

Weather (*circle only one*): Clear; (Cloudy) circled; Fog; Rain

Distance: Approx 5 ft.

Incident Type (*circle one or more*): Accidental; (Armed Person) circled; (Fleeing Suspect) circled; Foot Pursuit; Gun Take Away; Moving Vehicle; (Sniper/Ambush) circled; (Startle) circled; Struggle Involved; Traffic Stop; Unarmed Person; Unintentional; Vehicle Pursuit; Warrant Service; Warning Shot; Other: ____

Initiated by (*circle only one*): Arrest Warrant; Call; Observation; One Person Unit; (Other) circled; Search Warrant; Two Person Unit

Prior Activity (*circle only one*): (Detective) circled; Inmate Transport; Other; Routine Patrol

Aero Unit? ☐ Canine Unit? ☐

Total # of Shots Fired by Deputy	Total # of Shots Fired by Suspect
15	0

Employee Witnesses

Employee #	Last Name	First Name	M.I.	ShiftTime (*circle only one*)	ShiftType (*circle only one*)
				EM PM Day	Regular Overtime Off Duty
				EM PM Day	Regular Overtime Off Duty
				EM PM Day	Regular Overtime Off Duty

Non-Employee Witnesses

Last Name [redacted]		First Name [redacted]		M.I.	
Street Address [redacted]	City [redacted]	Zip Code [redacted]	Work Ph [redacted]	Home Ph	
Last Name		First Name		M.I.	
Street Address	City	Zip Code	Work Ph	Home Ph	
Last Name		First Name		M.I.	
Street Address	City	Zip Code	Work Ph	Home Ph	

Supervisors

Employee #	Last Name	First Name	M.I.	(*circle one or more*)
[redacted]	Harris	Randall	D.	(On Duty) circled; Present during shooting; Witness to shooting; Involved in shooting
[redacted]	Minster	Gregory	A.	(On Duty) circled; (Present during shooting) circled; Witness to shooting; Involved in shooting

Watch Sergeant

Employee #	Last Name	First Name	M.I.
[redacted]	Sandor	Andrew	M.

Watch Commander

Employee #	Last Name	First Name	M.I.
[redacted]	Raulston	Edward	D.

PSTD Use Only
SH # 2274774

Officer Involved Shooting

URN: 010-21291-1126-055

Rollout Information

Arrival Date	Arrival Time	Date Submitted	Date of Recommendation
10/01/2010	1550 Hrs.	04/27/2011	

Employee #	Last Name	First Name	M.I
[redacted]	Ault	Alicia	E.
[redacted]	Kim	Patrick	
[redacted]	Denison	Trent	A.

Shooting / Force Information

Method

(AW) Arwen
(BC) Baton:(Control)
(BI) Baton:(Impact)
(BF) Bodily Fluids
(CN) Canine
(CR) Carotid Restraint
(CH) Choke Hold
(CT) Control Holds:(Control Techniques)
(TT) Control Holds:(Team Takedown)
(TD) Control Holds:(Takedown)
(CE) Chemical
(OC) Chemical Agents (OC Spray)
(TG) Chemical Agents (Tear Gas)
(EX) Explosives
(FH) Firearm (Handgun)
(FR) Firearm (Rifle)
(FS) Firearm (Shotgun)
(FO) Firearm (Other)
(FB) Flashbang
(FL) Flashlight
(OE) Other Weapon: Edged
(OV) Other Weapon: Vehicle
(OB) Other Weapon: Blunt Object
(OO) Other Weapon: Other
(PK) Personal Weapon: Feet/Leg: (Kick)
(PS) Personal Weapon: Feet/Leg: (Sweep)
(PH) Personal Weapon (Hand/Arm)
(PP) Personal Weapon (Push)
(PO) Personal Weapon (Other)
(RS) Resistance
(CN) Restraint Device (Capture Net)
(RH) Restraint Device (Handcuffs)
(HB) Restraint Device:Hobble (Legs Only)
(TP) Restraint Device:Hobble (TARP)
(RE) Restraint Device: REACT Belt
(SP) Sap
(SH) Shield
(SG) 37mm Stinger
(SB) Sting Ball
(ST) Stun Bag
(TR) Taser
(UC) Uncooperative

Type of Injury

(AB) Abrasion
(BR) Bruise
(BU) Burn
(CP) Complaint of Pain
(CO) Concussion
(DH) Death
(DI) Dislocation
(DB) Dog Bite
(FR) Fractures
(GS) Gunshot
(HB) Human Bite
(LC) Lacerations
(ND) Nerve Damage
(OD) Organ Damage
(PA) Paralysis
(PW) Puncture Wound
(SD) Soft Tissue Damage
(ST) Sprain/Twists
(UN) Unconscious
(RM) Refused Med Treatment
(NN) NONE

Body Part Injured

(AD) Abdomen
(AK) Ankle
(AR) Arm
(BK) Back
(BT) Buttocks
(CH) Chest
(EL) Elbow
(FA) Face
(FE) Feet
(FI) Fingers
(GE) Genitals
(GR) Groin
(HD) Hand
(HE) Head
(HI) Hip
(IN) Internal
(KN) Knees
(LE) Leg
(NK) Neck
(SH) Shoulder
(WR) Wrist

Brand

(AK) AK-47
(BN) Benelli
(BR) Beretta
(BW) Browning
(CH) Charter Arms
(CO) Colt
(DA) Davis Industries
(GL) Glock
(HA) Harrington & Richardson
(HI) Hi Standard
(HK) H & K
(IT) Ithica
(IV) Iver Johnson
(JE) Jennings
(LO) Lorcin
(LU) Luger
(MA) Marlin
(MO) Mossberg
(NC) NCI aka SKS
(NA) North American
(NO) Norinco
(RA) Raven
(RM) Remington
(RG) RG
(RI) RGI
(RO) Rossi
(SW) Smith & Wesson
(SR) Sturm Ruger
(ST) Sterling
(TA) Taurus
(WE) Weatherby
(WN) Winchester
(US) US Government
(YY) Handmade (Inmate)
(XX) Homemade (Non-Inmate)
(ZZ) Other Brand

Caliber

(9) 9 mm
(10) 10 mm
(12) 12 guage
(20) 20 guage
(21) .22-250
(22) .22 caliber
(23) .223 caliber
(24) .243 caliber
(25) .25 caliber
(30) .308 caliber
(35) .357 caliber
(36) 30-60 caliber
(38) .38 caliber
(40) .40 caliber
(41) .410 guage
(44) .44 caliber
(45) .45 caliber
(50) 50 mm
(SL) Slug
(WW) Other caliber

FORCE APPLIED *(one code per block)*

Used By (E# or S#)	Used Against (E# or S#)	Method (Code)	Brand (Code)	Caliber (Code)	Authorized Weapon? (Y/N)	Authorized Ammunition? (Y/N)	Type of Injury (Code)	Body Part (Code)
S1	E1	FO	ZZ	WW				
E1	S1	FH	BR	9	Y	Y	GS	AR
E2	S1	FH	BR	9	Y	Y	GS	LE

Officer Involved Shooting
Involved Employee Information

URN: 010-21291-1126-055

Involved Employee

E 1

Employee # [redacted]	Last Name [redacted]	First Name [redacted]	M.I. R.
Sex: [redacted] Race: [redacted]	Rank [redacted]	Unit Assignment: [redacted]	Work Assignment (Unit #, Module, etc.): [redacted]
ShiftTime (*circle only one*): EM PM [redacted]	ShiftType (*circle only one*): [redacted] Overtime Off Duty	Intoxication/Drug Usage? ☐	Substance Used:
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case #: Interviewed? [redacted]
Hrs of sleep prior to shooting: [redacted]	Duty Time (hrs): [redacted]	Clothing (*circle only one*): Plain Clothes no Vest [redacted] Plain Clothes w/ Vest, Uniform no Vest, Raid Jacket no Vest, Uniform w/ Vest	Other Factors:
Age: [redacted] Height: [redacted]	Weight: [redacted]		
Range Qualification Date: [redacted]	PPC Qualification Date: [redacted]	Laser Training Date: [redacted]	
Certified with Weapon Used? [redacted]	Patrol Certification? [redacted]	Certification Unit: [redacted]	Prior Shootings? [redacted] Number of Prior Shootings: [redacted] Directed Force: [redacted]
Weapons Fired Brand: Beretta	Caliber 9mm	# Shots 10	Weapons Fired Brand: Caliber # Shots
Field Training Officer Emp # [redacted]	Last Name [redacted]	First Name [redacted]	M.I.
Field Training Officer Emp # [redacted]	Last Name [redacted]	First Name [redacted]	M.I. [redacted]

E 2

Employee # [redacted]	Last Name Pederson	First Name Jennifer	M.I. M.
Sex: F Race: W	Rank DSG	Unit Assignment: COPS	Work Assignment (Unit #, Module, etc.): 110N11
ShiftTime (*circle only one*): EM PM (Day)	ShiftType (*circle only one*): (Regular) Overtime Off Duty	Intoxication/Drug Usage? ☐	Substance Used:
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case #: Interviewed? ☒
Hrs of sleep prior to shooting: 7	Duty Time (hrs): 0800	Clothing (*circle only one*): Plain Clothes no Vest, (Raid Jacket w/ Vest), Plain Clothes w/ Vest, Uniform no Vest, Raid Jacket no Vest, Uniform w/ Vest	Other Factors:
Age: [redacted] Height: 5' 10"	Weight: 160		
Range Qualification Date: [redacted]	PPC Qualification Date: [redacted]	Laser Training Date: [redacted]	
Certified with Weapon Used? [redacted]	Patrol Certification? [redacted]	Certification Unit: [redacted]	Prior Shootings? [redacted] Number of Prior Shootings: [redacted] Directed Force: [redacted]
Weapons Fired Brand: Beretta	Caliber 9mm	# Shots 5	Weapons Fired Brand: Caliber # Shots
Field Training Officer Emp # [redacted]	Last Name [redacted]	First Name [redacted]	M.I. [redacted]
Field Training Officer Emp # [redacted]	Last Name [redacted]	First Name [redacted]	M.I. [redacted]

E __

Employee #	Last Name	First Name	M.I.
Sex: Race:	Rank	Unit Assignment:	Work Assignment (Unit #, Module, etc.):
ShiftTime (*circle only one*): EM PM Day	ShiftType (*circle only one*): Regular Overtime Off Duty	Intoxication/Drug Usage? ☐	Substance Used:
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case #: Interviewed? ☐
Hrs of sleep prior to shooting:	Duty Time (hrs):	Clothing (*circle only one*): Plain Clothes no Vest, Raid Jacket w/ Vest, Plain Clothes w/ Vest, Uniform no Vest, Raid Jacket no Vest, Uniform w/ Vest	Other Factors:
Age: Height:	Weight:		
Range Qualification Date:	PPC Qualification Date:	Laser Training Date:	
Certified with Weapon Used? ☐	Patrol Certification? ☐	Certification Unit:	Prior Shootings? ☐ Number of Prior Shootings: Directed Force: ☐
Weapons Fired Brand:	Caliber	# Shots	Weapons Fired Brand: Caliber # Shots
Field Training Officer Emp #	Last Name	First Name	M.I.
Field Training Officer Emp #	Last Name	First Name	M.I.

Officer Involved Shooting
Suspect Information

URN: 010-21291-1126-055

Suspect Information

S 1

Last Name Mendez		First Name Angel	M.I. M.
AKA Last Name		First Name	M.I.
Sex: M Race: H	Street Address: [redacted]	City [redacted]	State & Zip Code: [redacted]
Work Phone: [redacted]	Home Phone: [redacted]	Social Security #: [redacted]	Driver's License #: [redacted]
Age: 30 D.O.B. 04/09/1980	Height: 5' 7" Weight: 170	FBI # 762641TB9	CII # A23112139
Booking # NIC	Primary Charge:	Secondary Charge:	
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☒	Apprehended? ☐	Mental Illness? ☐	Criminal History? [redacted]
Vehicle Make		Model:	Year:

S ___

Last Name		First Name	M.I.
AKA Last Name		First Name	M.I.
Sex: Race:	Street Address:	City	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight:	FBI #	CII #
Booking #	Primary Charge:	Secondary Charge:	
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐
Vehicle Make		Model:	Year:

S ___

Last Name		First Name	M.I.
AKA Last Name		First Name	M.I.
Sex: Race:	Street Address:	City	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight:	FBI #	CII #
Booking #	Primary Charge:	Secondary Charge:	
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐
Vehicle Make		Model:	Year:

S ___

Last Name		First Name	M.I.
AKA Last Name		First Name	M.I.
Sex: Race:	Street Address:	City	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight:	FBI #	CII #
Booking #	Primary Charge:	Secondary Charge:	
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐
Vehicle Make		Model:	Year:

COUNTY OF LOS ANGELES
SHERIFF'S DEPARTMENT

INVESTIGATIVE SUMMARY

DEPUTY INVOLVED SHOOTING

UNIT: LANCASTER STATION

DATE/TIME OF INCIDENT: OCTOBER 1, 2010 (FRIDAY) @ 1245 HRS.

LOCATION: [redacted] 18TH STREET WEST
LANCASTER, CA 93534

URN: 010-21291-1126-055

IAB #: SH2274774

OPENING STATEMENT

On October 1, 2010, IAB investigators Sergeant Patrick Kim, Sergeant Chad Smeltzer and Lieutenant Alicia Ault responded to a Deputy-involved, on-duty, hit shooting in the Lancaster patrol area. Homicide investigators informed them that Deputy [redacted] and Deputy Jennifer M. Pederson shot and injured a male adult suspect and a female adult, who were inside an outbuilding structure in the rear yard of the location.

SYNOPSIS

Lancaster Station detectives received information that a parolee at large they had been seeking was at a local business establishment. They, along with COPS Bureau Deputies Pederson and [redacted] responded, but were unable to locate the parolee; however, they obtained information that he may be at a nearby residence.

Upon arriving at the residence, deputies made contact with the owner of the property at the front door. Deputies Pederson and [redacted] walked to the rear of the location and saw what appeared to be a windowless outbuilding. They did not issue any verbal announcement prior to opening the door. Upon opening the door, they saw Suspect Mendez inside, sitting in the darkness and pointing what they believed to be a barrel of a rifle at them. There was no verbal exchange between the deputies and Suspect Mendez. The deputies fired a total

of fifteen rounds at Suspect Mendez as they retreated in an attempt to find cover and concealment. Suspect Mendez did not fire his weapon.

Suspect Mendez sustained gunshot wounds to the torso, arms, and legs. A female adult, Victim [redacted] who was laying on the bed behind Suspect Mendez, was struck by one round from the deputies' weapon in the shoulder during the shooting.

Immediately after the gunfire, Suspect Mendez and Victim [redacted] complied with verbal commands given by Deputies [redacted] and Pederson to exit the outbuilding. Sergeant Gregory Minster, who was already on scene, immediately summoned paramedics for Suspect Mendez and Victim [redacted] while deputy personnel used a Department issued trauma shooting kit, to triage their injuries.

Suspect Mendez was transported to Antelope Valley Hospital where he was treated for his injuries. He was not in custody. Victim [redacted] was transported to Antelope Valley Hospital where she was treated and released. No deputies were injured.

The investigation immediately following the incident revealed that the rifle in Suspect Mendez' possession was a BB rifle.

Homicide investigators conducted a shooting investigation as documented in the Homicide Investigation Book **[Exhibit A]**.

INVOLVED PERSONNEL AND EMPLOYEE WORK HISTORY

Deputy [redacted] #[redacted]

Lancaster Station	
Date of employment	[redacted]
Date assigned to patrol	
Date completed patrol training	
Date assigned to Transit Services Bureau	
Prior shooting incidents	[redacted]
Prior founded force incidents	[redacted]

Deputy Jennifer M. Pederson #[redacted]

Lancaster Station	
Date of employment	04-17-06
Date assigned to patrol	[redacted]
Date completed patrol training	[redacted]
Date assigned to Transit Services Bureau	
Prior shooting incidents	[redacted]
Prior founded force incidents	[redacted]

SUSPECT INFORMATION

Angel Michael Mendez
MH/30, DOB: 04-09-80, 5' 7", 170 lbs
[redacted]
CII #[redacted] MAIN #[redacted] FBI #[redacted]

Suspect Mendez' criminal history dates back to [redacted] For further information regarding Suspect Mendez' criminal history, refer to the Homicide Investigation Book **[Exhibit A]** page 77.

WITNESS

[redacted] FW/27
[redacted]

INJURIES

Suspect Mendez sustained one gunshot wound to the right forearm, one gunshot wound to the right rear thigh, and one gunshot wound to the lumbar area. Refer to the video footage of Suspect Mendez taken immediately after the incident **[EXHIBIT C]**. He received treatment at Antelope Valley Hospital, where he was listed in critical condition. Attempts by IAB investigators to contact Suspect Mendez to obtain his authorization for his medical records regarding this incident were met with negative results. Furthermore, Antelope Valley Hospital had no medical records on file for Suspect Mendez being treated on October 1, 2010.

Witness [redacted] sustained a gunshot wound to her right shoulder, which broke her collarbone. She received treatment at Antelope Valley Hospital and was released the same day.

No deputies were injured.

PHYSICAL EVIDENCE

Homicide investigators and Scientific Services Bureau personnel collected physical evidence at the scene. For descriptions of the evidence collected and where it was collected, refer to the Homicide Investigation Book **[Exhibit A]** pages 34-38 and 56-70.

INVESTIGATORS OBSERVATIONS

IAB investigators responded to the shooting scene and saw expended shell casings on the ground of the rear yard of the location. There was a large, black dog, apparently dead, laying approximately ten yards inside the entrance to the yard. There was a four-walled makeshift structure made of plywood, in the middle of the rear yard, with a door facing east. Refer to the disc containing photographs of the shooting scene **[Exhibit B]**.

WEAPON USED BY DEPUTY CONLEY

Deputy [redacted] fired ten rounds of Department issued 9mm ammunition from his Department issued Beretta 92FS 9mm semi-automatic pistol.

WEAPON USED BY DEPUTY PEDERSON

Deputy Pederson fired five rounds of Department issued 9mm ammunition from her Department issued Beretta 92FS 9mm semi-automatic pistol.

WEAPON USED BY SUSPECT MENDEZ

Suspect Mendez possessed a "Daisy Powerline 880S" BB rifle. Refer to the Homicide Investigation Book **[Exhibit A]** page 36 and the disc containing photographs of the shooting scene **[Exhibit B]** for more details.

PROPERTY DAMAGE

None

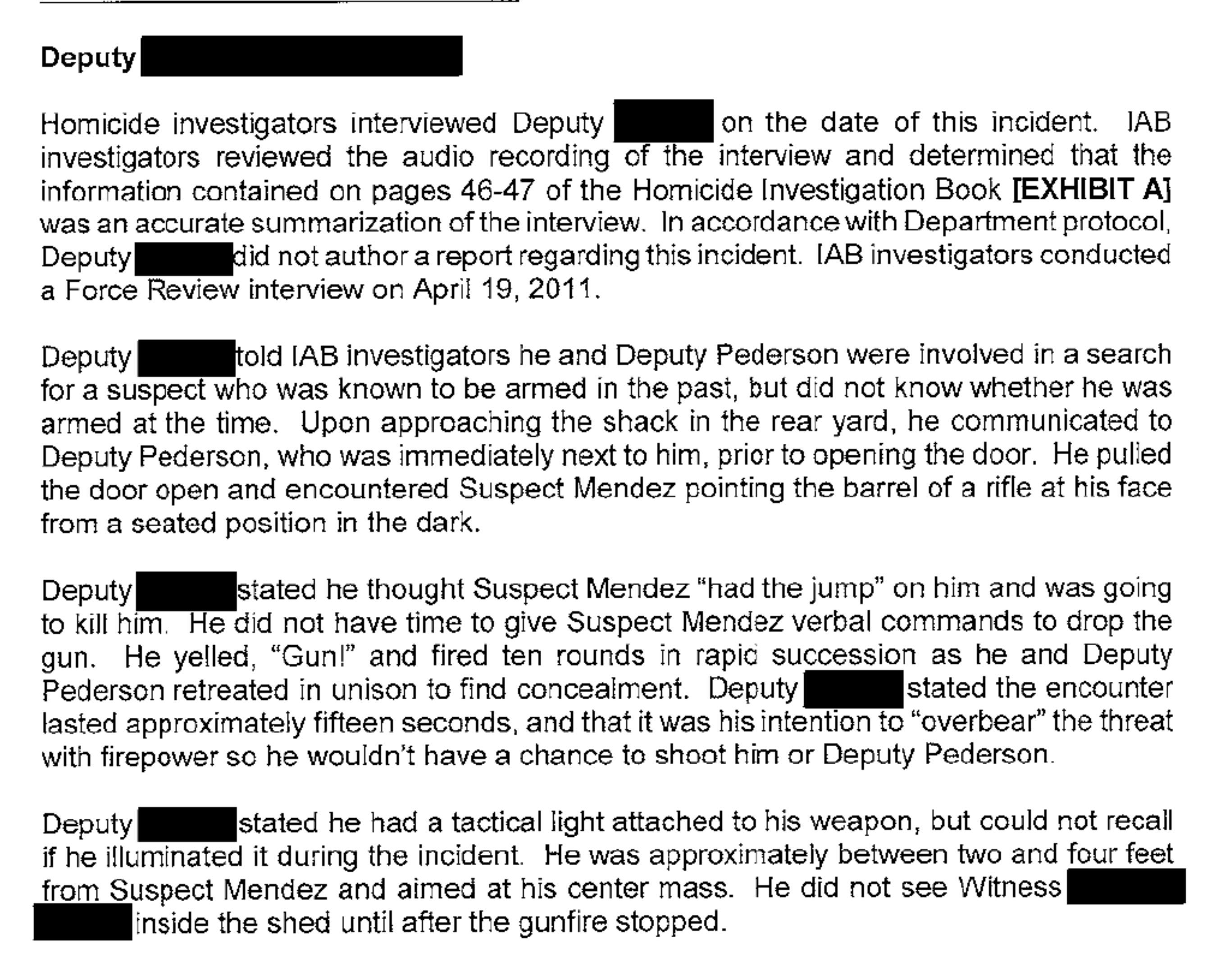
CRIMINAL INVESTIGATORS AND CHARGES FILED

Investigators:	Homicide Bureau Sergeant [redacted] #[redacted] and Sergeant Robert J. Gray #[redacted]
Charges filed:	417.4 PC, exhibiting an imitation firearm, was filed on Suspect Mendez.
Case status:	On November 17, 2010, the Los Angeles County District Attorney's Office declined to prosecute Suspect Mendez for the charge filed. Refer to the Homicide Investigation Book **[EXHIBIT A]** page 55.

LIGHTING AND WEATHER CONDITIONS

The shooting occurred at approximately 1245 hours. The weather was overcast, cool, and dry. Deputies [redacted] and Pederson were outside, looking into a windowless, unlit outbuilding, where Suspect Mendez was located.

The following are synopses of interviews. Refer to the attached digitally audio recorded interviews and verbatim transcriptions for additional information and precise wording.



<u>INVOLVED DEPUTY STATEMENTS</u>

Deputy [redacted]

Homicide investigators interviewed Deputy [redacted] on the date of this incident. IAB investigators reviewed the audio recording of the interview and determined that the information contained on pages 46-47 of the Homicide Investigation Book **[EXHIBIT A]** was an accurate summarization of the interview. In accordance with Department protocol, Deputy [redacted] did not author a report regarding this incident. IAB investigators conducted a Force Review interview on April 19, 2011.

Deputy [redacted] told IAB investigators he and Deputy Pederson were involved in a search for a suspect who was known to be armed in the past, but did not know whether he was armed at the time. Upon approaching the shack in the rear yard, he communicated to Deputy Pederson, who was immediately next to him, prior to opening the door. He pulled the door open and encountered Suspect Mendez pointing the barrel of a rifle at his face from a seated position in the dark.

Deputy [redacted] stated he thought Suspect Mendez "had the jump" on him and was going to kill him. He did not have time to give Suspect Mendez verbal commands to drop the gun. He yelled, "Gun!" and fired ten rounds in rapid succession as he and Deputy Pederson retreated in unison to find concealment. Deputy [redacted] stated the encounter lasted approximately fifteen seconds, and that it was his intention to "overbear" the threat with firepower so he wouldn't have a chance to shoot him or Deputy Pederson.

Deputy [redacted] stated he had a tactical light attached to his weapon, but could not recall if he illuminated it during the incident. He was approximately between two and four feet from Suspect Mendez and aimed at his center mass. He did not see Witness [redacted] inside the shed until after the gunfire stopped.

Deputy Jennifer M. Pederson

Homicide investigators interviewed Deputy Pederson on the date of this incident. IAB investigators reviewed the audio recording of the interview and determined that the information contained on pages 47-48 of the Homicide Investigation Book **[EXHIBIT A]** was an accurate summarization of the interview. In accordance with Department protocol, Deputy Pederson did not author a report regarding this incident. IAB investigators conducted a Force Review interview on April 19, 2011.

Deputy Pederson told IAB investigators that she and Deputy [redacted] were at the location in search of a known parolee at large. Prior to opening the door to the shed, they were in close proximity to each other and used non-verbal communication. Deputy [redacted] opened the door to the shack, at which time she saw Suspect Mendez inside, laying on his left side on a mat, and holding a rifle with his right hand. Suspect Mendez pointed the barrel at them as if he was going to shoot them.

Deputy Pederson stated she was positioned behind Deputy [redacted] and offset to his left, as she fired five rounds in rapid succession to stop the perceived threat. She initially used the point and shoot method and then picked up the weapon's sights for better accuracy. At the time of the shooting, she saw Victim [redacted] laying parallel behind Suspect Mendez.

WITNESS STATEMENTS

Sergeant Gregory Minster

Homicide investigators interviewed Sergeant Minster on October 1, 2010. IAB investigators reviewed the audio recording of the interview and determined that the information contained in the Homicide Investigation Book **[EXHIBIT A]** pages 48-50 was an accurate summarization of the interview. Sergeant Minster said he was inside the primary residence when he heard eight to ten gunshots emanating from the backyard. He and Deputy Cox ran to the backyard in response to the gunfire. He did not witness any part of the shooting.

Deputy Billy Cox

Homicide investigators interviewed Deputy Cox on October 1, 2010. IAB investigators reviewed the audio recording of the interview and determined that the information contained in the Homicide Investigation Book **[EXHIBIT A]** pages 50-51 was an accurate summarization of the interview. Deputy Cox said he was inside the primary residence when he heard multiple gunshots coming from the rear yard where he knew Deputies [redacted] and Pederson were. He and Sergeant Minster responded to the rear yard, where they encountered a vicious dog, which he shot once. The shooting of the animal was handled by Lancaster Station. He did not witness any part of the shooting.

Deputy Veronica Ramirez

Homicide investigators interviewed Deputy Veronica Ramirez on October 1, 2010. IAB investigators reviewed the audio recording of the interview and determined that the information contained in the Homicide Investigation Book **[EXHIBIT A]** pages 51-52 was an accurate summarization of the interview. Deputy Ramirez said she was inside the primary residence when he heard gunfire in the backyard. She responded to the backyard behind Sergeant Minster and Deputy Cox. She did not witness any part of the shooting.

[redacted]

Homicide investigators interviewed [redacted] on October 1, 2010. IAB investigators reviewed the audio recording of the interview and determined that the information contained in the Homicide Investigation Book **[EXHIBIT A]** pages 38-39 was an accurate summarization of the interview. Ms. [redacted] said she was handcuffed in the patrol car that was parked in front of her house when she heard around ten gunshots. She did not witness any part of the shooting.

[redacted]

Homicide investigators interviewed [redacted] on October 1, 2010. IAB investigators reviewed the audio recording of the interview and determined that the information contained in the Homicide Investigation Book **[EXHIBIT A]** page 44 was an accurate summarization of the interview. Mr. [redacted] said he was in his residence, which is adjacent to the location of the incident. He saw deputies in the rear yard of the location with their guns drawn, at which time he went to a neighbor's house across the street. He heard multiple gunshots coming from the backyard of the location, but did not witness any part of the shooting.

[redacted]

Homicide investigators interviewed Witness [redacted] on October 1, 2010. IAB investigators reviewed the audio recording of the interview and determined that the information contained in the Homicide Investigation Book **[EXHIBIT A]** pages 44-46 was an accurate summarization of the interview. Witness [redacted] said she was laying next to Suspect Mendez when she heard the door opening. Suspect Mendez then grabbed the BB gun. She complied with the deputies' verbal commands and turned her head toward the wall (away from the deputies), at which time she heard gunfire and felt pain and pressure to her left shoulder.

SUSPECT STATEMENT

Angel Michael Mendez

Homicide investigators interviewed Suspect Mendez on October 2, 2010. IAB investigators reviewed the audio recording of the interview and determined that the information contained in the Homicide Investigation Book **[EXHIBIT A]** pages 53-54 was an accurate summarization of the interview. Suspect Mendez said he heard the sound of footsteps approaching the door, and thought it was [redacted] He sat up and picked up the rifle which was lying next to him on the bed, to re-position it on the ground. As he was holding the rifle, the door opened and gunfire erupted into the shed. Suspect Mendez said, "They shot and shot and didn't say anything." He realized that the deputies were shooting at him because he appeared to be armed, at which time he shouted that the rifle was a BB rifle or replica.

INTERNAL AFFAIRS BUREAU
INVESTIGATIVE SUMMARY ADDENDUM
IAB# SH2274774

INVOLVED DEPUTY: Deputy [redacted] #[redacted]
Jennifer M. Pederson #[redacted]
Lancaster Station

LOCATION: [redacted] 18th Street West
Lancaster, CA 93534

INCIDENT DATE: October 1, 2010

PRIMARY INVESTIGATOR: Sergeant Patrick Kim

ADDENDUM SUMMARY

The purpose of this addendum is add documentation to the shooting review under IAB case #SH2274774. The documents came to the investigator after the case was submitted. The addendum is to be added to the original case file for documentation purposes.

EXHIBITS

D District Attorney Letter of Opinion, dated May 25, 2011